

## DECLARATION AND POWER OF ATTORNEY

Attorney, J. Docket No. 13700-0238

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name. I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled: PLANE CARBON COMMUTATOR AND PRODUCING METHOD THEREOF, the specification of which

☒ is attached hereto.

☐ was filed on \_\_\_\_\_ as application Serial No. \_\_\_\_\_ (if applicable) and was amended on \_\_\_\_\_.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above. I do not know and do not believe that the same was ever known or used by others in the United States of America before my or our invention thereof, or patented or described in any printed publication in any country before my or our invention thereof or more than one year prior to the date of this application. I further state that the invention was not in public use or on sale in the United States of America more than one year prior to the date of this application. I understand that I have a duty of candor and good faith toward the Patent and Trademark Office, and I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, §1.56(a). I further understand that information is "material" where there is a substantial likelihood that a reasonable patent examiner would consider the information important in deciding whether to allow the application to issue as a patent.

I hereby claim foreign priority benefits under Title 35, United States Code, §119 of my foreign application(s) for patent or inventor's certificate listed below, and have also identified below any foreign application for patent or inventor's certificate disclosing subject matter in common with the above-identified specification and having a filing date before that of the application on which priority is claimed:

Country	App. No.	Date of Filing	Priority Claimed Under 35 USC §119
Japan	P10-328387	November 18, 1998	Yes _____ No <u>X</u>

I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code §112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, §1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

Application Serial No.	Filing Date	Status: patented, pending, abandoned
_____	_____	_____

I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patents issuing thereon.

I hereby authorize the U.S. attorneys named herein to accept and follow instructions from Miyoshi & Miyoshi, as to any action to be taken in the Patent and Trademark Office regarding this application, without direct communication between the U.S. attorney and the undersigned. In the event of a change in the persons from whom instructions may be taken, the U.S. attorney named herein will be notified by the undersigned.

**POWER OF ATTORNEY:** The following attorneys are hereby appointed to prosecute this application and transact all business in the Patent and Trademark Office connected therewith: Anthony B. Askew - 24,154; Roger T. Frost - 22,176; Jeffrey E. Young - 28,490; Robert E. Richards - 29,105; John R. Harris - 30,388; Stephen M. Schaezel - 31,418; Larry A. Roberts - 31,871; Thomas A. Hodge - 22,602; Charles L. Warner II - 32,320; Gregory T. Gronholm - 32,415; Dale Lischer - 28,438; Peter G. Pappas - 33,205; James Dean Johnson - 31,771; Nora M. Tocups - 35,717; W. Scott Petty - 35,645; Daniel J. Warren - 34,272; Hubert J. Barnhardt III - 36,739; Virginia L. Carron - 37,110; Leona G. Young - 37,266; Jamie L. Greene - 32,467; William A. Hartselle - 36,548; Holmes J. Hawkins III - 38,913; Mary Anthony Merchant - 39,771; Michael J. Mehrman - 40,086; William L. Warren - 36,714; Felipe J. Farley - 38,445; F. Leslie Bessenger III - 39,108; James A. Witherspoon - 36,723; Brenda M. Ozaki - 40,339; James D. Withers - 40,376; M. Todd Mitchem - P40,731; Gregory S. Smith - P40,819.

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Full name of sole or first inventor: Kenichi SUGIYAMA

Citizenship: Japanese

Residence: c/o SUGIYAMA SEISAKUSYO CO., LTD. 2-15-21, Meguro-honcho, Meguro-ku, Tokyo, Japan

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Inventor's signature Kenichi - Sugiyama Date: May 22, 2000

☐ Additional inventors are being named on separately numbered sheets attached hereto.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application or Patent of: KENICHI SUGIYAMA  
Filed or Issued: Concurrently Herewith  
For: PLANE CARBON COMMUTATOR AND PRODUCING  
METHOD THEREOF

)  
) Attorney's Docket No. 13700-0238  
)  
)

**VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY  
STATUS (37 CFR 1.9 (f) AND 1.27 (c)) - SMALL BUSINESS CONCERN**

I hereby declare that I am:

- ☒ the owner of the small business concern identified below:  
☐ an official of the small business concern empowered to act on behalf of the concern identified below:

NAME OF CONCERN: SUGIYAMA SEISAKUSYO CO., LTD.

ADDRESS OF CONCERN: 2-15-21, Meguro-honcho, Meguro-ku, Tokyo, Japan

I hereby declare that the above identified small business concern qualifies as a small business concern as defined in 13 CFR 121.3-18 and reproduced in 37 CFR 1.9(d), for purposes of paying reduced fees under Section 41 (a) and (b) of Title 35, United States Code, i that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of thi statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of th persons employed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal years, and (2) concerns ar affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third party c parties controls or has the power to control both.

I hereby declare that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the invention entitled "PLANE CARBON COMMUTATOR AND PRODUCING" by inventor(s) Kenichi SUGIYAMA described in METHOD THEREOF

- ☒ the specification filed herewith  
☐ application Serial No. \_\_\_\_\_, filed \_\_\_\_\_  
☐ patent No. \_\_\_\_\_, issued \_\_\_\_\_

The rights held by the above identified small business concern are exclusive.

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date o which status as a small entity is no longer appropriate. (37 CFR 1.28(b))

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belie are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like s made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willfu false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

NAME OF PERSON SIGNING: Kenichi SUGIYAMA

TITLE OF PERSON OTHER THAN OWNER: President

ADDRESS OF PERSON SIGNING: c/o SUGIYAMA SEISAKUSYO CO., 2-15-21, Meguro-honcho,  
Meguro-ku, Tokyo, Japan

DATE May 22, 2000

SIGNATURE

Kenichi - Sugiyama